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MENZIES AVIATION, INC., DOING BUSINESS AS MENZIES

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RENALDO NAVARRO,

Plaintiff,

vs.

MENZIES AVIATION, INC., DOING
BUSINESS AS MENZIES; and DOES 1
through 10, inclusive,

Defendants.

Case No.: 3:19-CV-08157-VC

Honorable Vince Chhabria

**STIPULATION TO CONTINUE
PLAINTIFF'S DEADLINE TO FILE
OPPOSITION TO DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT
AND ~~PROPOSED~~ ORDER**

State Court Action Filed: 10/23/19
Action Removed: 12/16/19

1 Plaintiff Renaldo Navarro and Defendant Menzies Aviation, Inc. hereby stipulate to
2 move Plaintiff's opposition filing deadline to Defendant's Motion for Summary Judgment,
3 currently scheduled for October 29, 2020, to November 2, 2020, as follows:

4 1. On July 15, 2020, during the Further Case Management Conference, this Court
5 vacated the trial date the parties had previously set during the March 11, 2020 Case Management
6 Conference in light of the continuing uncertainty related to the COVID-19 pandemic. During
7 that same Further Case Management Conference, the Court and the Parties agreed to move the
8 original last day to hear a dispositive motion from October 1, 2020 to November 5, 2020.

9 2. Based on the November 5, 2020 hearing date, pursuant to Northern District of
10 California Local Rule 7-2(a), the last day to file any dispositive motion would be October 1,
11 2020.

12 3. On October 2, 2020, and in response to Defendant's request, the parties agreed by
13 stipulation to move the dispositive motion hearing date from November 5, 2020 to November 19,
14 2020.

15 4. This Court signed the order moving the hearing date on October 9, 2020 [Docket
16 27].

17 5. On October 15, 2020, Defendant filed a Motion for Summary Judgment, or in the
18 alternative, Partial Summary Judgment. Pursuant to Northern District California Local Rule 7-
19 3(a), Plaintiff's deadline to file an opposition would be October 29, 2020.

20 6. During the week of October 19, 2020 through October 28, 2020, Plaintiff's
21 attorney had unexpected work travel to attend to an employee health matter. The emergency and
22 scheduling conflicts impacted his time and ability to prepare and file an opposition to Defendants
23 Motion for Summary Judgment.

24 7. Pursuant to Northern District of California Local Rule 6.2(a), Plaintiff requests a
25 five-day extension of time to file opposition to Defendant's Motion for Summary Judgment from
26 Thursday, October 29, 2020 to Monday, November 2, 2020.

27 8. Defendant has no objection to Plaintiff's attorney's request for more time in light
28 of his adverse personal circumstances.

1 9. The parties have met and conferred, and Defendant acknowledges Plaintiff's
2 request to be a legitimate reason for an extension of time and accept on their face as being
3 offered in good faith.

4 10. Defendant has indicated that it does not require an extension to file a reply to
5 Plaintiff's opposition. Pursuant to Northern District of California Local Rule 7.3(c), Defendant's
6 reply deadline shall remain November 5, 2020, seven days from October 29, 2020 when
7 Plaintiff's opposition was originally due to be filed.

8 11. The Parties do not believe that continuance of the dispositive motion hearing date,
9 currently set for November 19, 2020, is needed. However, the Parties are amendable to a
10 continuance if the Court so wishes due to Plaintiff's continued opposition filing deadline.

11 12. Because neither party will be prejudiced by affording Plaintiff additional time to
12 file an opposition to account for counsel's unforeseen scheduling conflicts, Plaintiff requested
13 and Defendants agreed to move the opposition deadline to November 2, 2020, which will
14 provide counsel for Plaintiff time to complete the opposition. This stipulation and file it pursuant
15 to the notice requirements of Local Rule 7-3(a).

16
17 THE PARTIES THEREFORE STIPULATE that the current last day for Plaintiff to file
18 the opposition to Defendant's Motion for Summary Judgment of October 29, 2020 shall be
19 vacated and rescheduled to November 2, 2020.

20
21 Dated: October 26, 2020

LIBERATION LAW GROUP, P.C.

22 By: /s/ Arlo Garcia Uriarte
23 Arlo Garcia Uriarte
24 Attorneys for Plaintiffs

25 Dated: October 26, 2020

FOLEY & LARDNER LLP

26 By: /s/ Christopher Ward
27 Sara Alexis Levine Abarbanel
28 Christopher Ward
Attorneys for Defendants


[PROPOSED] ORDER

The Court has reviewed the Parties' stipulation to move Plaintiff's opposition filing deadline to Defendant's Motion for Summary Judgment from October 29, 2020 to November 2, 2020 and agrees the Parties have demonstrated good cause for such relief. Accordingly, the Court hereby orders that the last day for Plaintiff to file opposition shall be continued from October 29, 2020 to November 2, 2020. Defendant's deadline to file a reply is not impacted by this stipulation.

The Motion for Summary Judgment hearing date shall be November 19, 2020. PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 27, 2020

By:


Hon. Vince Chhabria
United States District Judge